



FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION
BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

JENNIFER CARROLL
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

January 30, 2013

Sent via ePOST and regular mail

Honorable Doug Gilpin
Chairperson, Board of County Commissioners
7375 Powell Road
Wildwood, FL 34785

Dear Commissioner Gilpin:

You are receiving this letter because all or part of your jurisdiction is located within an urbanized area according to the 2010 Census and therefore your master drainage system is considered to be a municipal separate storm sewer system (MS4) that is regulated under the Federal Clean Water Act's stormwater permitting requirements in accordance with [40 Code of Federal Regulation Part 122.32\(a\)\(1\)](#). Stormwater discharges are a significant contributor of pollutants to Florida's water bodies. In 1987, Congress established a phased approach to regulating stormwater discharges from municipal storm sewer systems. The largest municipalities were regulated first, followed by smaller municipalities that are located in urbanized areas. The Census defines where the urbanized areas are, and the latest Census shows that all or part of your jurisdiction is located within an urbanized area.

A reference map identifying the Census 2010 urbanized areas within your jurisdiction can be found on the following website: http://www.dep.state.fl.us/water/stormwater/npdes/MS4_4.htm. If you believe that your MS4 service area is not located, at least in part, within an urbanized area as determined by the 2010 census data, please call one of our NPDES stormwater MS4 team members listed later in this letter upon receipt of this letter.

Your jurisdiction may be eligible for a waiver from this program if it has fewer than 10,000 people and meets other requirements, including whether the MS4 discharges any pollutants identified as a cause of impairment to the water body to which it discharges. The specific criteria for two types of waivers can be found at 40 C.F.R. 122.32(d) and (e), which is summarized in the attached fact sheet.

Preliminarily, we have identified your potential Phase II MS4 as one that may qualify for a waiver. Please call one of our NPDES stormwater MS4 team members promptly upon receipt of this letter so that we may begin the process of determining and verifying if your MS4 qualifies for the waiver.

Unless a waiver is granted, the U.S. Environmental Protection Agency (EPA) and the Department's (DEP) regulations require that owners and operators of MS4s obtain a National Pollutant Discharge Elimination System (NPDES) permit and develop and implement a Stormwater Management Program (SWMP) to minimize the discharge of pollutants through and from the MS4 into waters of the United States. These programs must include, among other things, educating the public about ways they can prevent pollutants, such as used oil or grass clippings, from entering storm drains; ensuring that construction sites implement appropriate

NAME	TITLE	PHONE	EMAIL
Eric Livingston	Program Administrator Emeritus	850/245-8430	Eric.livingston@dep.state.fl.us
Allen Hubbard	Program Administrator	850/245-7606	Allen.hubbard@dep.state.fl.us
Heather Ritchie	Environmental Consultant	850/245-7523	Heather.ritchie@dep.state.fl.us
Kathleen "Katie" Downey	Environmental Specialist	850/245-8667	Kathleen.downey@dep.state.fl.us

Please feel free to contact us should you have any questions or concerns regarding this letter. We can provide further explanation of why you're receiving this letter, what this letter means for your community, next steps, and answer any other questions you may have. **EPA will also be holding a webinar on February 12, 2013 that will provide an overview of the stormwater program and include a local government's experience and lessons learned while developing their stormwater program.** There will also be time allotted for your questions during this session. See the attached flyer for more details and registration information.

For a general overview of the MS4 program and examples of some of the reference materials available, please see the fact sheet included with this letter. Additional overview information on the MS4 program is available on our web page: http://www.dep.state.fl.us/water/stormwater/npdes/MS4_1.htm. This includes the Phase I MS4 Permit Resource Manual that contains a wealth of information and web links to assist you in developing your Stormwater Management Program. Additional information about the Phase II stormwater rule and can be found at: <http://www.epa.gov/npdes/pubs/fact2-1.pdf>. More information about the MS4 program can also be found in the factsheet series at: www.epa.gov/npdes/stormwater/swfinal. To learn more about municipal stormwater training opportunities visit (scroll down to the "stormwater" section): www.epa.gov/npdes/training.

If your jurisdiction is not the owner or operator of the MS4 or if you are not the appropriate contact for this program please forward to the appropriate person and contact one of our Phase II MS4 team members promptly with updated information.

Sincerely,



Mark P. Thomasson, P.E.
Director
Division of Water Resource Management

Enclosure

cc: Mr. Scott B. Cottrell, P.E., Public Works Director

US EPA Stormwater Program's Webcast Series

Stormwater Overview & Lessons Learned

Webcast: Tuesday, February 12, 2012

Two-hour audio Web broadcast

Eastern: 1:00 pm – 3:00 pm Central: 12:00 pm – 2:00 pm

Mountain: 11:00 am – 1:00 pm Pacific: 10:00 am – 12:00 pm

Session Description:

Is your storm sewer system newly regulated because of 2010 Census updates? What are the stormwater requirements and where do they come from? Confused about regulations, laws, and permits? What requirements apply nationally and which are set by the state permitting authorities?

The Bureau of Census recently released its 2010 Census and this Census changes the boundaries of the urbanized area. Some currently unregulated MS4s that are located within the new urbanized area boundaries are now subject to regulation. This fun and interactive webcast is targeted to municipalities, counties, departments of transportation, universities, and other newcomers to the municipal stormwater program. EPA will provide an overview of the program and local governments who are already developing and implementing their programs will share their experiences and lessons learned. We will also have plenty of time for your questions.



Background

In 1987, Congress amended the Clean Water Act to require implementation, in two phases, of a comprehensive national program for addressing stormwater discharges. The EPA's existing Phase II Stormwater Rule, which was finalized in 1999, regulates operators of small municipal separate storm sewer systems, or MS4s, that are located within the boundaries of a Bureau of the Census-defined "urbanized area" based on the latest decennial Census. The Bureau of Census recently released its 2010 Census and this Census changes the boundaries of the urbanized area. Currently unregulated MS4s that are located within the new urbanized area boundaries are now subject to regulation. Now over 6,000 municipalities, departments of transportation, universities, and other entities that own/operate separate storm sewers are covered under National Pollutant Discharge Elimination System (NPDES) stormwater permits.

Speakers: Christopher Moore, U.S. EPA's Stormwater Program
Local government speaker (still confirming participation)

Registration: You must register in advance to attend this webcast at

<https://www1.gotomeeting.com/register/301716584>

To view archived webcasts, go to www.epa.gov/npdes/stormwater, click on "Training & Meetings" in the bar on the right.

Note: Your computer must have the capability of playing sound in order to attend this webcast

The materials in this Webcast have been reviewed by EPA staff for technical accuracy. However, the views of the speakers and the speaker's organization are their own and do not necessarily reflect those of the EPA. Mention of any commercial enterprise, product, or publication does not mean that EPA endorses them.